

## **STATUTORILY REQUIRED FUNCTIONS OF THE COORDINATING BOARD FOR HIGHER EDUCATION /MDHE**

(as of May 13, 2016)

### **Fiscal**

- Establish guidelines for appropriation requests by public four-year institutions (§173.005.2(3))
- Approve a community college funding model developed in cooperation with the community colleges (§ 163.191.1)
- Submit an aggregated community college budget request (§ 163.191.1)
- Oversee implementation of the Higher Education Student Funding Act (“Tuition Stabilization”), including the adjudication of waiver requests submitted by institutions proposing to raise tuition at a rate that exceeds the statutory guideline (§ 173.1003.5)
- Recommend to governing boards of state-supported institutions, including public community colleges, formulas to be employed in specifying plans for general operations, development and expansion and requests for appropriations from the general assembly (§ 173.030(3))
- Promulgate rules to include selected off-campus instruction in public colleges and university appropriation recommendations where prior need has been established in areas designated by the Coordinating Board for Higher Education (§ 173.030(4))
- Request appropriations to match U.S. Agency for International Development funds for purposes of facilitating international student exchanges (§ 173.730)

### **Planning**

- Conduct studies of population and enrollment trends affecting institutions of higher education in the state (§ 173.020(1))
- Identify higher education needs in the state in terms of requirements and potential of young people and in terms of labor force requirements (§ 173.020(2))
- Develop arrangements for more effective and more economical specialization among institutions in types of education programs offered and students served and for more effective coordination and mutual support among institutions in the utilization of facilities, faculty and other resources (§ 173.020(3))
- Design a coordinated plan for higher education for the state and its subregions (§ 173.020(4))
- Develop in cooperation with the Department of Elementary and Secondary Education a comprehensive assessment of postsecondary vocational technical education in the state (§ 178.637.2)<sup>1</sup>
- Collect information and develop comparable data for all institutions of higher education in the state and use it to delineate areas of competence of each of these institutions and for any other purposes the CBHE deems appropriate (§ 173.005.2(9))
- Establish state and institution-specific performance measures by July 1, 2008 (§ 173.1006.1)
- Conduct institutional mission reviews every five years (§ 173.030(7))
- Review and approve applications from institutions for statewide missions (§ 173.030(8))
- Issue annual report to the governor and general assembly (§ 173.040)
- Report to Joint Committee on Education (§ 173.1006.2)

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<sup>1</sup> This was a one-time requirement to be completed by August 1996 in connection with the establishment of Linn State Technical College. There is no statutory requirement to keep the assessment updated.

## **Academic Programs**

- Approve proposed new degree programs to be offered by the state institutions of higher education (§ 173.005.2(1))
- Approve degree programs offered by out-of-state institutions, in a manner similar to Missouri public higher education institutions. Department may charge fees to cover costs of reviewing and assuring the quality of programs. (§ 173.005.2 (12) (b) b)
- Recommend to governing boards the development, consolidation or elimination of programs, degree offerings, physical facilities or policy changes deemed in the best interests of the institutions or the state (§ 173.030(2))
- Approve out-of-district courses offered by community colleges (§ 163.191.4)
- Establish competencies for entry-level courses associated with an institution's general education core curriculum (§ 173.005.2(7))
- Determine to what extent courses of instruction in the Constitution of the U.S., and of the state of Missouri, and in American History should be required by colleges and universities. (§ 170.011.1)
- Establish guidelines to facilitate student transfers (§ 173.005.2(7))
- Administer the Studies in Energy Conservation Fund in collaboration with the Department of Natural Resources and, subject to appropriations, establish full professorships of energy efficiency and conservation (§ 640.219.1)
- Promulgate rules to ensure faculty credentials and student evaluations are posted on institutional websites (§ 173.1004)
- Cooperate with the Department of Corrections to develop a plan of instruction for the education of offenders (§ 217.355)
- Establish guidelines to promote and facilitate the transfer of students between institutions of higher education within the state (§ 173.005.2(8))
- Require all public two-year and four-year higher education institutions to create by July 1, 2014, a statewide core transfer library of at least twenty-five lower division courses across all institutions that are transferable among all public higher education institutions (§ 173.005.2(8))
- Develop a policy to foster reverse transfer for any student who has accumulated enough hours by meeting specific statutory requirements to be awarded an associate degree (§ 173.005.2(8))
- Require all public two-year and four-year higher education institutions to replicate best practices in remediation (§ 173.005.2(6))

## **Institutional Relationships**

- Promote and encourage the development of cooperative agreements between Missouri public four-year institutions of higher education which do not offer graduate degrees and Missouri public four-year institutions of higher education which do offer graduate degrees for the purpose of offering graduate degree programs on campuses of those public four-year institutions of higher education which do not otherwise offer graduate degrees. (§ 173.005(2))
- Coordinate reciprocal agreements between or among institutions at the request of one or more of the parties. (§ 173.030(5))
- Enter and administer interstate reciprocal agreements for delivery of postsecondary distance education, including approval of applications to participate and development of consumer protection and complaint policies (§ 173.030(6))
- Approve new state-supported senior colleges or residence centers (§ 173.005.2(4))

- Establish admission guidelines consistent with institutional missions (§ 173.005.2(5))
- Establish guidelines to help institutions with decisions relating to residence status of students (§ 173.005.2(7))
- Conduct binding dispute resolution for disputes between public institutions that involve jurisdictional boundaries, or the use or expenditure of any state resources (§ 173.125)
- Receive biennial reports from all public institutions on the number and language background of all teaching assistants, including a copy of the institution's current policy for selection of graduate teaching assistants (§ 170.012.4)
- Promulgate model conflict of interest policy that is used to govern all public institutions of higher education that did not have a similar measure in place after January 1, 1992 (§ 173.735)
- Enforce provisions of the Missouri Returning Heroes Education Act, which limits the amount of tuition public institutions can charge combat veterans (§ 173.900.4)
- Promulgate rules for the refund of all tuition and incidental fees or the awarding of a grade of "incomplete" for students called into active military service, voluntarily or involuntarily, prior to the completion of the semester (§ 41.948.5)
- Provide an annual report to the Department of Elementary and Secondary Education on the performance of graduates of public high schools in the state during the student's initial year in the public colleges and universities of the state (§ 173.750.1)
- Promulgate instructions and recommendations for implementing eye safety in college and university laboratories (§ 173.009)
- Exercise oversight of State Technical College (§ 178.638)
- Establish standards for the organization of community colleges (§ 178.770)
- Approve establishment of community college subdistricts and redistricting (§ 178.820)
- Supervise the two-year community colleges (§ 178.780) to include:
  - Establishing their role in the state
  - Setting up surveys to be used for local jurisdictions when determining need and potential for a community college
  - Administering the state financial support program
  - Formulating and putting into effect uniform policies as to budgeting, record keeping and student accounting
  - Establishing uniform minimum entrance requirements and uniform curricular offerings
  - Make a continuing study of community college education in the state
  - Being responsible for their accreditation, annually or as often as deemed advisable, and in accordance with established rules

*Note: Section 173.005.7 transfers to the Coordinating Board for Higher Education the duties of the State Board of Education relating to community college state aid, supervision and formation specified in Chapters 163 and 178, RSMo.*

## **Financial Aid<sup>2</sup>**

- Administer the Access Missouri Financial Assistance Program (§ 173.1103.1)
- Administer Higher Education Academic Scholarship Program ("Bright Flight") (§ 173.250.3)
- Administer the A+ Scholarship Program (Executive Order 10-16, January 29, 2010)
- Administer the Advanced Placement Incentive Grant (§ 173.1350)

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<sup>2</sup> Entries in italics historically have not had funds appropriated to them by the General Assembly and so require no ongoing activity by the department.

- Administer the Kids' Chance Scholarship Program for children of workers who were seriously injured or killed as result of a workmen's compensation-related event (need based) (§ 173.256.1)
- Administer the Public Safety Officer or Employee Grant Program for certain public employees and their families if the employee is killed or permanently and totally disabled in the line of duty (§ 173.260.2 & .4)
- Administer the Marguerite Ross Barnett Competitiveness Scholarship Program for students who are employed 20 hours or more per week while attending school part time (need based) (§ 173.262.3)
- *Administer the Missouri Teaching Fellows Program for educational loan repayments, to include maintaining a program coordinator position to identify, recruit, and select potential applicants for the program (§ 168.700)*
- Administer the Minority Teaching Scholarship Program (§ 161.415)
- Administer the Minority and Underrepresented Environmental Literacy Program (§ 173.240)
- Administer the Advantage Missouri Trust Fund, which provides loans and a loan forgiveness program for students in approved educational programs who become employed in occupational areas of high demand in the state; responsibilities include annually designating occupational areas of high demand and the degree programs or certifications that lead to employment in those areas (§§ 173.775.2 & 173.781)
- Make provisions for institutions to award tuition and fee waivers to certain students who have been in foster care or other residential care under the Department of Social Services (§ 173.270.1)
- May request information from public or private institutions to determine compliance with the requirement that no student receiving state need-based financial assistance receive financial assistance that exceeds the student's cost of attendance (§ 173.093)
- Administer the Veteran's Survivor Grant (§ 173.234.1)
- Administer the Vietnam Veteran's Survivor Grant (§ 173.236.1)
- Receive annual certification from all postsecondary institutions that they have not knowingly awarded financial aid to a student who is unlawfully present in the U.S. (§ 173.1110.3)
- Promulgate rules to ensure individuals in the process of separating from the U.S. military may readily obtain in-state residency status for purposes of tuition and admission. (§ 173.1150)

### **State Guaranty Agency under the Federal Family Education Loan Program<sup>3</sup>**

- Administer Missouri Student Loan Program (§§ 173.100 to .120 & .130 & .150 to .187; also Title IV, Part B of the Higher Education Act of 1965, as amended (20 U.S.C. §§ 1071 to 1087-2), and its implementing regulations in 34 C.F.R. §§ 433A, 485D & 682).

Responsibilities include:

- Establishing standards for determining eligible institutions, eligible lenders and eligible borrowers
- Processing applications
- Loan disbursement
- Enrollment and repayment status management
- Default awareness activities
- Collecting on defaulted borrowers

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<sup>3</sup> As a result of provisions in the recently enacted Healthcare and Education Affordability Reconciliation Act, no new FFELP loans will be issued after June 30, 2010. However, the Guaranty Agency's statutory and regulatory obligations will continue as to loans still outstanding and guaranteed before that date.

- School and lender training
- Financial literacy activities
- Providing information to students and families on college planning, career preparation, and paying for college
- Administering claims
- Compliance
- Provide information on types of financial assistance available to pursue a postsecondary education (§ 167.278)
- Act as a lender of last resort for students or schools that cannot otherwise secure loans (§ 173.110.3)
- Enter into agreements with and receive grants from U.S. government in connection with federal programs of assistance (§173.141)

### **Proprietary Schools**

- License and oversee all for-profit Missouri certificate or degree granting schools (§ 173.604.1)
- License and oversee some not-for-profit Missouri certificate or degree granting schools (§§ 173.604.1 & 173.616.1)
- License and oversee out-of-state higher education institutions offering instruction in Missouri (public out-of-state are exempt but go through program approval similar to in-state publics) (§§ 173.602 & 173.005.2(11)(b))
- License and oversee certain types of student recruitment by non-Missouri institutions (§ 173.602)
- Require annual recertification, or recertification every two years if certain conditions are met (§ 173.606.1 & 173.606.2)
- Establish appropriate administrative fees to operate the certification program. (§ 173.608.2)

### **Assignments in Statute to Serve on other State Boards**

- Missouri Higher Education Loan Authority (both the commissioner and a Coordinating Board for Higher Education member. (§ 173.360)
- Missouri Higher Education Savings Program (MOST) (§ 166.415.1)
- Missouri Workforce Investment Board (§ 620.511.3)
- Holocaust Commission (§ 161.700.3(1))
- Commission on Autism Spectrum Disorders (§ 633.200.3(6))
- Interagency Advisory Committee on Energy Cost Reduction & Savings (§ 8.843)
- Minority Environmental Literacy Advisory Committee (§ 173.240.7)
- Missouri Area Health Education Centers Council (§ 191.980)

### **Grants for Institutions/Faculty**

- Administer the Nurse Education Incentive Program (§ 335.203)
- Apply for, receive and utilize funds which may be available from private nonprofit foundations and from federal sources for research on higher education needs and problems in the state. (§ 173.050(2))
- Serve as the official state agency to plan for, define, and recommend policies concerning the allocation of federal funds where such funds, according to provisions of federal legislation, are to be received and allocated through an official state agency. (§ 173.050(1))

### **Enforcement**

- Compliance with requests from the coordinating board for institutional information and the other powers, duties and responsibilities, herein assigned to the coordinating board, shall be a prerequisite to the receipt of any funds which the coordinating board is responsible for administering. (§ 173.005.2(10))
- If any institution of higher education in this state, public or private, willfully fails or refuses to follow any lawful guideline, policy or procedure established or prescribed by the coordinating board, or knowingly deviates from any such guideline, or knowingly acts without coordinating board approval where such approval is required, or willfully fails to comply with any other lawful order of the coordinating board, the coordinating board may, after a public hearing, *withhold or direct to be withheld from that institution any funds the disbursement of which is subject to the control of the coordinating board*, or may remove the approval of the institution as an approved institution within the meaning of section 173.1102.
- If any such public institution willfully disregards board policy, the commissioner of higher education may *order such institution to remit a fine in an amount not to exceed one percent of the institution's current fiscal year state operating appropriation to the board*. The board shall hold such funds until such time that the institution, as determined by the commissioner of higher education, corrects the violation, at which time the board shall refund such amount to the institution. If the commissioner determines that the institution has not redressed the violation within one year, the fine amount shall be deposited into the general revenue fund, unless the institution appeals such decision to the full coordinating board, which shall have the authority to make a binding and final decision, by means of a majority vote, regarding the matter. However, nothing in this section shall prevent any institution of higher education in this state from presenting additional budget requests or from explaining or further clarifying its budget requests to the governor or the general assembly. (§ 173.005.2(11))